

135 an integrally formed cap closing said ampoule, said cap located at a score line on said ampoule to facilitate removal, said score line on said ampoule, once exposed by removal of said cap, dimensioned to receive a luer coupling thereat, and walls of said ampoule formed of deformable flexible non-porous material.

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#### REMARKS

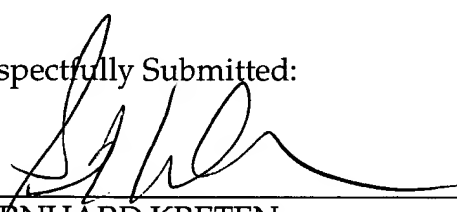
The Office Action dated July 16, 2002 has been received, its contents carefully noted, and the applied citation thoroughly studied. Accordingly, the foregoing revisions to the specification and claims are tendered with the conviction that patentable contrast has now been made manifest over the known prior art. Accordingly, all rejections tendered by the Examiner in the above-referenced Office Action are hereby respectfully traversed and reconsideration is respectfully requested.

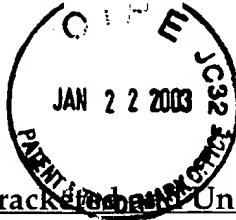
The revisions to claims 24, 31, and 48 now require that the contents within the ampule be nonliquid. Should the Examiner persist in relying on applicant's earlier patent, a properly worded terminal disclaimer will be considered.

In view of the foregoing, it is respectfully requested that the Examiner pass this case to issue. If, upon further consideration, the Examiner believes further issues remain outstanding or new ones have been generated, undersigned respectfully requests that the Examiner call undersigned to expeditiously resolve same.

Dated: January 16, 2003

Respectfully Submitted:

  
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Bracketed and Underlined Copy of Claims as Amended - 09/524,213 - Page 1

Claim 24 (amended) - A needleless dosage transfer system, for removing a sterile pharmaceutical grade [fluid] nonliquid from a sealed ampule to a needleless syringe or needleless cannula, comprising in combination,

an ampule defined by an end and collapsible side walls extending from said end thereby defining a blind bore and an open end,

said side walls formed from resilient, collapsible material,

a coupler at said open end of said vial, and a removable cap occluding said open end,

said coupler configured and provided with means to connect to an opening of the syringe or cannula in fluid communication therewith, whereby [fluid] the nonliquid can be [directly] transferred from the ampule without an interconnecting needle after removing said cap, liquifying the nonliquid and coupling said opening to the needleless syringe or cannula.

Claim 31 (amended) - An ampule for storing a nonliquid pharmaceutical product in a manner to inhibit lability of the product and permitting the transfer of the product in an aseptic manner to avoid nosocomial infection from ambient air comprising:

resilient walls that can be collapsed and creating an orifice to pass a pharmaceutical grade nonliquid fluid or solid therethrough;

an opening on said ampule whereby the opening is circumscribed by a coupler which is to be complementally fastened to receive a dose administering device.

Claim 48 (amended) - A needless dosage transfer system, comprising, in combination:

an ampoule having a lyophilized pharmaceutical aseptically located therewith;  
the pharmaceutical characterized as being nonliquid;

an integrally formed cap closing said ampoule, said cap located at a score line on said ampoule to facilitate removal, said score line on said ampoule, once exposed by removal of said cap, dimensioned to receive a luer coupling thereat, and

walls of said ampoule formed of deformable flexible non-porous material.